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REMARKS

Upon entry of the foregoing amendment, Claims 1-2 and 4-8 are pending in this application, in which Claims 4, 6 and 7 were withdrawn as being directed to a non-elected invention. The Examiner rejected Claims 1-2, 5 and 8 under 35 U.S.C. 102(b) and rejected Claim 5 under 35 U.S.C. 103(a). Claims 1 and 8 have been amended in the foregoing amendment.

Claims 1, 2, 5 and 8 Are Not Anticipated by Matsuo, Watanabe or Johnson

The Examiner rejected Claims 1-2, 5 and 8 as anticipated by JP10-103893 ("Matsuo"), rejected Claims 1-2, 5 and 8 as anticipated by JP11-153395 ("Watanabe"), and rejected Claim 8 as anticipated by U.S. Patent No. 4,909,046 to Johnson ("Johnson"). Applicant traverses this rejection for the reasons discussed below.

Claim 1

The vehicle heat exchanger of amended Claim 1 requires a reservoir in communication with one of the header pipes for reserving one of the heat-conducting media that is fixed to a header pipe of the larger heat exchanger, wherein the reservoir is located behind a plane extending through an intake of the frontmost heat exchanger, and wherein the reservoir is located alongside the header pipe of the larger heat exchanger.

Matsuo describes a condenser 1, a larger radiator 20 and a reservoir 3, as shown in Fig. 2. The reservoir 3 of Matsuo is located alongside the header tank 11 of the condenser 1, not the header tank 21 of the larger radiator 20. Matsuo fails to describe that the reservoir is located alongside the header pipe of the larger heat exchanger, as required by Claim 1. The Examiner alleged that the reservoir 3 is fixed to the header tank 11 and further fixed to a header pipe 21 of the radiator by means 25. The Examiner also alleged that the condenser has an intake to introduce airflow A and the reservoir 3 can be located at the back of the intake, because an attaching portion of the reservoir is located at the back of the intake at means 25. Means 25 is a projection provided at the header tank 21 to provide a space between the header tank 21 and the reservoir 3. The reservoir 3 is attached to the header tank

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11 of the condenser 1, not the reservoir 3. Thus, Matsuo also fails to describe that the reservoir is fixed to a header pipe of the larger heat exchanger, and that the reservoir 3 is located behind a plane extending through an intake of the frontmost heat exchanger, as required by Claim 1. Accordingly, Claim 1 is not anticipated by Matsuo.

Watanabe describes that the liquid tank 80 is located behind the radiator 52, as shown in Figs. 10 and 12. Watanabe fails to describe that the reservoir 3 is located alongside the header pipe of the larger heat exchanger, as required by Claim 1. Thus, Claim 1 also is not anticipated by Watanabe.

Claim 8

For similar reasons as discussed above in relation to Claim 1, Claim 8 is patentable over Matsuo and Watanabe.

Johnson describes that a receiver-drier 13 is connected to the refrigerant tube 14 from the condenser 7 and "is mounted on the side of the radiator 8 or other convenient location." Column 3, lines 1-4. Applicant believes that the cited portion of Johnson is intended to describe the location of the receiver-drier 13, but is not intended to describe that the receiver-drier 13 is attached to the header pipe of the radiator 8. For example, column 3, lines 4-7 of Johnson describes that "(t)he air conditioning receiver-drier 13 output is connected through the refrigerant tube 15 to the evaporator 16 which is mounted by bracket 27 to the rear portion of the engine," and Fig. 1 shows that the evaporator 16 is attached to the engine 1 by a bracket 27, whereas Fig. 1 shows that the receiver-drier 13 is separate from the radiator 8. Thus, Applicant believes that Johnson fails to describe that the reservoir is fixed to a header pipe of the larger heat exchangers, as required by Claim 8. Thus, Claim 8 should be allowed.

Claims 2 and 5

Claims 2 and 5 depend from independent Claim 1. The remarks made above in support of the patentability of the independent Claim 1 are equally applicable to distinguish the dependent claims from Matsuo. Accordingly, Claims 2 and 5 should also be allowed.

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CONCLUSION

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

No fee is believed to be due. If a fee is due, the Commissioner is authorized to charge such fee and any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



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